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Elections to fill vacancies in subsidiary organs and other elections: election of eighteen members of the Human Rights Council

Letter dated 1 June 2015 from the Permanent Representative of Belgium to the United Nations addressed to the President of the General Assembly

I have the honour to recall that Belgium has decided to present its candidature to the Human Rights Council for the term 2016-2018 at elections to be held during the seventieth session of the General Assembly. I enclose herewith a copy of the voluntary pledges and commitments of the Government of Belgium for the promotion and protection of human rights, in accordance with General Assembly resolution 60/251 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under item 114 (e) of the preliminary list.

(*Signed*) Bénédicte **Frankinet**
Ambassador
Permanent Representative

* A/70/50.

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Annex to the letter dated 1 June 2015 from the Permanent Representative of Belgium to the United Nations addressed to the President of the General Assembly

Candidature of Belgium to the Human Rights Council, 2016-2018

Voluntary pledges and commitments pursuant to General Assembly resolution 60/251

Introduction

1. Belgium contributes worldwide to the promotion and protection of human rights and adheres to civil, political, economic, social and cultural rights that are universal, indivisible, interrelated, interdependent and mutually reinforcing. The promotion and protection of human rights is an integral part of the national and foreign policy of Belgium. Human rights are fully mainstreamed in all actions that it takes on the international scene, on the basis of the premise that human rights are essential for respecting the human dignity of each individual.

2. As one of the founding members of the United Nations, Belgium has a track record of promoting and protecting human rights in a multilateral environment, both in the universal context of the United Nations and as a founding member of the Council of Europe. Belgium served as Chair of the Council of Europe from November 2014 to May 2015 and has consistently advocated a strong role for regional organizations and arrangements in the promotion and protection of human rights. As a founding member of the European Union, Belgium is committed to human dignity, freedom, democracy, equality, the rule of law and respect for human rights. Those values are embedded in the treaties of the European Union and are an essential part of its international action.

3. The long-time commitment of Belgium to human rights is demonstrated by, among others, its recent membership in the Human Rights Council during the period 2009-2012, the Commission on the Status of Women during the periods 1970-1980 and 1995-2015 and the Committee on Non-Governmental Organizations of the Economic and Social Council during the period 2011-2014. Belgium is eager to cooperate with other States Members of the United Nations to improve the situation of human rights worldwide.

4. The foreign policy of Belgium aims to enhance the positive correlation among peace and security, development and human rights, which are the basic pillars of the United Nations. Belgium is committed to the promotion and protection of human rights as essential conditions to achieve peace, security and development. As a State member of the European Union and on a national basis, it is one of the major contributors to international development cooperation.

5. To contribute actively to international efforts to ensure better respect for human rights and to increase the effectiveness of its action in the field of human rights, Belgium is applying for membership in the Human Rights Council for the period 2016-2018. Since the establishment of the Council, Belgium has consistently participated in its activities in a constructive manner. It wishes to contribute further to a dynamic and effective Council.

Active participation in all activities of the Council

6. The Council is responsible for the promotion and protection of all human rights around the globe. Belgium will continue to work for a strong and effective Council and for the universality and indivisibility of human rights. Belgium will ensure that the Council, in its role in addressing human rights violations, will deal with both country situations and thematic issues in accordance with developments on the ground.

7. Belgium considers a robust system of special procedures to be an excellent tool to allow the Council to address human rights situations on the ground. It will make every effort to guarantee the integrity and independence of those special procedures.

8. Belgium will continue its active cooperation with the special procedures, in accordance with its standing invitation issued in 2001. Belgium has received the Special Rapporteur on contemporary forms of slavery (2015), the Working Group of Experts on People of African Descent (2006), the Special Rapporteur on the sale of children, child prostitution and child pornography (2000) and the Special Rapporteur on the independence of judges and lawyers (1997). Belgium will, as in the past, reply promptly to communications by Special Rapporteurs and follow up actively on their recommendations.

9. Belgium will continue its full engagement with the universal periodic review mechanism and ensure an effective follow-up to recommendations as accepted during its review. Both the preparation of its next universal periodic review report and the follow-up of the recommendations will be carried out in close consultation with civil society.

10. Moreover, Belgium will continue to play an active part in enabling the universal periodic review to remain an efficient and reliable instrument of the Council that contributes to specific improvements in the human rights situation in every State Member of the United Nations. In this context, Belgium will do its utmost all efforts to consolidate this constructive and transparent dialogue between all States, with the input of relevant expert bodies in the United Nations human rights system and of civil society.

11. Belgium will, in accordance with both its internal policies and legislation and its foreign policy, pay due attention to civil society and ensure that it continue to play an active role in the functioning of the Council.

Supporting and strengthening the other organs of the United Nations human rights system

12. Belgium is committed to mainstreaming human rights throughout the United Nations.

13. The Third Committee of the General Assembly must, through its activities and along with the Council, continue to contribute dynamically to the promotion and protection of human rights. Consequently, Belgium will continue to support to this universal organ in order to treat both thematic and geographic issues so as to achieve progress in the implementation of human rights standards.

14. Belgium has supported the Office of the United Nations High Commissioner for Human Rights (OHCHR) since its creation and will continue to do so. The

independence and the impartiality of OHCHR must be safeguarded, given that these are essential conditions to enable it to promote and protect human rights. Most of the contributions of Belgium during the past decade were not earmarked and, where there was any earmarking, it was light, in full respect of the autonomy of OHCHR. Belgium will continue to provide contributions to activities aimed at the promotion and protection of human rights, including contributions to other relevant funds of the United Nations.

15. Belgium reiterates its strong support for the treaty bodies, which are at the heart of the global human rights framework and play a fundamental role in promoting and protecting human rights at the national level. Belgium attaches great importance to their effective functioning. It commits itself to further encouraging the universal ratification and full implementation of major human rights treaties. Belgium will continue its active cooperation with the treaty body committees through the timely submission of its periodic reports, by entering into interactive dialogue at the oral presentation of its reports and by actively implementing the committees' recommendations. Belgium does not have any overdue reports at present and has established a national mechanism to ensure the regular follow-up of treaty body recommendations.

16. The third report on the implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the fifth report on the implementation of the International Covenant on Economic, Social and Cultural Rights, the combined sixteenth to nineteenth reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, the first report on the implementation of the International Convention for the Protection of All Persons from Enforced Disappearance, the first report on the implementation of the Convention on the Rights of Persons with Disabilities and the seventh report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women have recently been examined by the respective committees.

17. In this context, Belgium attaches great importance to an open and constructive dialogue with civil society.

Stronger action in the area of human rights

18. Combating impunity and strengthening accountability and the rule of law are long-standing priorities of Belgium. It is a strong supporter of the International Criminal Court and is one of the main initiators of a proposal for a multilateral treaty for mutual legal assistance and extradition for domestic prosecution of the most serious international crimes. At the high-level meeting of the General Assembly in September 2012, Belgium reaffirmed its commitment to the rule of law by making 17 pledges.

19. Respect for the physical integrity of every person will receive special attention. Together with other main sponsors, Belgium will continue to put the question of the death penalty on the agenda of the Council to trigger a substantive debate on the issue from a human rights perspective and to move forward on the goal of universal abolition.

20. Enhancing equality and countering discrimination, with particular attention to the rights of women, children and vulnerable persons, remain a major focus of the policies of Belgium, both nationally and internationally.

21. Promoting decent work and social protection for all and respect for international labour standards are part of this policy. Inclusive economic growth is a tool to eradicate poverty and achieve sustainable development.

22. Addressing the scourge of racism forms another aspect of this policy. All potential victims of racism, discrimination, xenophobia and intolerance must benefit from the same attention and protection. Following its active participation in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban, South Africa, in 2001 and its close involvement in the Durban Review Conference in Geneva in 2009, Belgium was represented at the high-level meeting of the General Assembly on 22 September 2011 in New York to commemorate the tenth anniversary of the adoption of the Durban Declaration and Programme of Action.

23. Along with Slovenia, Belgium introduced its biennial resolution on the International Convention on the Elimination of All Forms of Racial Discrimination at the sixty-ninth session of the General Assembly. By doing so, Belgium sought to draw attention to the importance of the Convention, which celebrates its fiftieth anniversary in 2015, and to promote its implementation.

24. Freedom of expression, which includes freedom of the press, is a key component of any democratic society and of great importance to Belgium. Freedom of expression is essential for the fulfilment and enjoyment of a wide range of other human rights, including freedom of religion or belief. Both freedoms play an important role in efforts to combat all forms of intolerance and discrimination on the basis of religion or belief.

25. Convinced of the importance and added value of well-developed regional human rights systems, which should reinforce universal human rights standards, Belgium will continue to advocate within the Council in favour of regional organizations or arrangements for the promotion and protection of human rights and of advancing cooperation between international and regional human rights mechanisms.

26. Respect for human rights in the efforts to combat terrorism is crucial. Belgium remains committed to ensuring that its own national measures safeguard the fundamental rights of the individual. Belgium will also continue its efforts to ensure that international efforts will be undertaken with the full respect of human rights.

27. The development cooperation activity of Belgium follow a rights-based approach to development, which emphasizes the universality, indivisibility and inalienability of human rights and the principles of participation and inclusivity in decision-making, non-discrimination and equality, transparency and accountability.

Strengthening the promotion and protection of human rights at the national level

28. Belgium will honour all its commitments resulting from the ratification of human rights conventions and acknowledges that, in this respect, more progress can be made at the national level.

29. Belgium ratified the major human rights conventions[a] and is doing everything possible to ratify the following human rights instruments as soon as possible: the Optional Protocol to the Convention against Torture, the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization (ILO), the Protocol to the Forced Labour Convention, 1930 (No. 29), of ILO and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). In addition, Belgium is taking steps to accept as soon as possible the amendment to article 8 of the International Convention on the Elimination of All Forms of Racial Discrimination, the amendment to article 20 (1) of the Convention on the Elimination of All Forms of Discrimination against Women and the amendments to articles 17 (7) and 18 (5) of the Convention against Torture.

30. Belgium actively contributed to the elaboration of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which it ratified on 20 and 30 May 2014, respectively.

31. To enforce its commitment to protecting human rights, Belgium has adopted or is developing national action plans that provide terms of reference for outlining its policy, such as:

(a) The first national action plan to implement the Guiding Principles on Business and Human Rights, which should be finalized in 2015. Through this action plan, the Government wishes to reinforce its commitment to the Guiding Principles and the underlying "Protect, Respect and Remedy" framework;

(b) The second national action plan, entitled "Women, peace and security" for the implementation of Security Council resolution 1325 (2000), which was adopted in July 2013. One of its priority objectives is to protect women and girls from all forms of violence, including sexual violence;

(c) The sixth national action plan on gender-based violence for the period 2015-2019, which is being developed in line with the Istanbul Convention. It will focus on partner violence, sexual violence, female genital mutilation, forced marriage and so-called honour-related violence, which will be addressed by an approach on the basis of an integrated policy, prevention, protection, prosecution and partnership;

(d) The first action plans tackling homophobic and transphobic discrimination on the one hand, and homophobic and transphobic violence on the other, which were both adopted in 2013;

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[a] International Covenant on Civil and Political Rights (1983), first Optional Protocol (1994), second Optional Protocol, aiming at the abolition of the death penalty (1998), International Covenant on Economic, Social and Cultural Rights (1983), International Convention on the Elimination of All Forms of Racial Discrimination (1975), International Convention on the Elimination of All Forms of Discrimination against Women (1985), Optional Protocol to the International Convention on the Elimination of All Forms of Discrimination against Women (2004), Convention on the Rights of the Child (1991), Optional Protocol on the involvement of children in armed conflict (2002), Optional Protocol on the sale of children, child prostitution and child pornography (2006), Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1999), Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto (2009) and International Convention for the Protection of All Persons from Enforced Disappearance (2011).

(e) A third poverty reduction plan for the period 2015-2019, which is in full preparation. Although Belgium is privileged from an economic and social development point of view, the plan will acknowledge that not all citizens benefit to the same extent from that prosperity. It will aim to offer everyone the opportunity to live a dignified life, as guaranteed by article 23 of the Constitution;

(f) A third national action plan to combat trafficking in human beings and human smuggling, which will build upon the specific and pragmatic approach of the previous action plan. Since 1995, an interdepartmental coordination platform has coordinated the various initiatives taken within the framework of efforts to combat trafficking and smuggling in human beings.

32. Belgium has established national institutions with a wide mandate in the promotion of, the respect for and the protection of human rights, such as the Interfederal Centre for Equal Opportunities, the Institute for the Equality of Women and Men and the National Commission of the Rights of the Child. At present, the Government is establishing a national human rights institution, in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles).